

## **2023 Department of Corrections Legislative Accomplishments**

The 2023 legislative session saw historic investments in the Minnesota Department of Corrections that will improve the safety and wellbeing of staff and develop and implement new initiatives that will transform the lives of incarcerated individuals to improve public safety across the state.

### Infrastructure/Bonding Bill

One of the final bills to pass this week was the infrastructure bill, the largest in state history. Included in that bill were several DOC priorities that the Commissioner and team secured. They include:

- **MCF-Shakopee** – \$18.4 million for design and construction of programming space in new and existing buildings at MCF-Shakopee.
- **Asset Preservation** – \$33.8 million in bonding and \$3.8 million in cash for much-needed infrastructure upgrades in Minnesota prisons.
- **MCF-Lino Lakes** – \$492,000 in bonding for a study on how to effectively renovate an existing building, including building system upgrades and hazardous materials abatement at MCF-Lino Lakes for programming space.

### DOC Budget Priorities Passed

- **Statewide Public Safety Data Infrastructure** – Through an appropriation of approximately \$54 million over four years, the DOC will replace its critically antiquated records management and sentence administration system with modern and secure data management and analysis systems.
- **Community Supervision** – The DOC worked in collaboration with county groups to secure an \$86 million biennial investment to for all three supervision delivery systems in all 87 counties. The statutory changes will ensure evidence-based practices are utilized and bring community supervision systems up to date with needed funding through a new statewide funding formula. The bill sunsets the ability of counties to charge supervision fees and establishes a Supervision Standards Committee to set evidence-based statewide processes for the DOC to consider adopting.
- **Tribal Community Supervision** – A priority of the Walz/Flanagan Administration, the bill provides \$5.5 million each biennium in state funding to tribal governments for the delivery of services related to community supervision.
- **Recruitment and Retention** – An investment of \$3.6 million in FY24/25 and \$800,000 in FY26/27 will improve the department's ability to recruit, retain, and support employees.
- **Body-Worn Cameras** – \$2 million in FY 24/25 funds a pilot for body-worn cameras at prison facilities over the next two years.
- **Prison Rape Elimination Act (PREA)** – \$1 million each biennium ongoing will help ensure the state is responsive to increased reporting requirements of the federal act and maintain federal grant funding levels as a result. The DOC will hire additional staff to increase capacity of case management to investigate and report on sexual assault cases in state prisons.
- **ARMER Radio System Maintenance Upgrades** – \$3 million in FY 24/25 will be invested in the replacement of outdated handheld ARMER radios as well as update the ARMER infrastructure to ensure staff safety and standard communication throughout the agency.

- **State Corrections Safety and Security** – \$3.9 million in FY24/25 and \$5.6 million in FY26/27 will be used to increase the safety and security of our facilities.
- **Health Services** – \$5.5 million in FY24/25 and \$6.8 million in FY26/27 will fund increases in nursing capacity, telemedicine, and equipment to increase positive health outcomes for the incarcerated population.
- **Virtual Court Coordination and Modernization** – \$1 million a biennium ongoing will help ensure required due process services to incarcerated persons now that high-demand, routine process of court proceedings have overwhelmingly moved to a virtual model and must be provided inside state prisons.
- **Educational Services** – \$9.6 million in FY24/25 and \$4 million in FY26/27 will fund increased staffing, classroom space, and technology to help the state take advantage of federal Pell Grants newly available to incarcerated students, as well as reduce recidivism.
- **Public Safety Through Stable Housing** – \$4.3 million in FY24/25 and \$3.4 million in FY26/27 will support housing stabilization services, housing coordinator capacity, rental assistance, and culturally responsive transitional housing.
- **Successful Reentry for Public Safety** – \$1.25 million in FY24/25 and \$1.75 million in FY26/27 will create a culturally specific release program for Native American men at MFC - Togo.
- **Community-Based Sex Offender Treatment** – \$3.83 million in FY 24/25 ongoing will fund evidence-based community sex offender treatment. The funding is the first significant increase since 2007.
- **Evidence-Based Practices Unit** – \$1.5 million a biennium ongoing will establish an Evidence-Based Practices Unit at the DOC to support and oversee training, programming, and quality assurance. It will support programming in our prisons and areas of supervision throughout the state, providing services based on risk, need, and responsivity factors of individuals served.
- **Family Support Unit** – \$960,000 a biennium ongoing will establish an agency-wide Family Support Unit to intentionally connect incarcerated individuals, particularly mothers and fathers, with their families in the community with the intent of lowering recidivism.
- **Phone Calls** – \$6.2 million per biennium will eliminate the cost of phone calls in prisons and help incarcerated individuals maintain communication and connections with family members and their communities.
- **Accountability and Transparency** – \$2 million in FY 24/25 and \$3 million in FY 26/27 will fund staffing capacity for internal controls and risk assessments, policy and rulemaking, legal services, and other core functions of the department.
- **Operations Deficiency** – The bill fully funds the DOC's \$12.643 million Fiscal Year 2023 budget deficiency, addressing unexpected costs due to inflationary pressures, workforce stabilization, and population growth that led to the agency exceeding its current budget.
- **Maintain Current Level of Services** – The bill included the Governor's full budget request to maintain current levels of services at the DOC, \$145.52 million in FY 24/25 and \$171.7 million in FY 26/27.
- **Prison Population Increase** – \$10.047 million is appropriated to fund the expected prison population increase due to the backlog of criminal court cases moving through the judicial system after slowing significantly during the COVID-19 pandemic. Increases were needed to fund direct facility costs for incarcerated persons including food, linens, compensation for work programming, and other facility

costs that directly support the incarcerated population. The funding is one-time in FY 24/25 and the agency will need to return to the legislature for sufficient funding in FY 26/27.

DOC Policy Priorities That Passed:

- **Minnesota Rehabilitation and Reinvestment Act (MRRA)** – The MRRA will provide personalized assessments and rehabilitation plans and the opportunity for earned incentivize release and supervision abatement after meaningful engagement is demonstrated. It will also allow for the savings from program success to be reinvested in victim support services, crime prevention and intervention, community-based gap service program, and the state’s general fund.
- **Supervised Release/ Parole Board** – The board will replace the sole discretion by the commissioner of corrections on parole decisions. Minnesota is one of only four states where a single person makes these decisions. A panel approach will reduce bias, increase diversity of perspective, and strengthen understanding of correctional policy, resulting in a more fair and equitable process.
- **Clemency Review Commission** – The bill establishes a Clemency Review Commission to support and advise the work of the Board of Pardons and expand the accessibility and availability of pardon application review for Minnesotans. The Board’s voting requirement is also changed from unanimous to a majority, with the Governor voting in the majority. The DOC will initially establish the Clemency Review Commission, and it will become independent of the DOC in 2024.
- **Creation of a Mental Health Pilot for Jail Inmates with SPMI** – The bill sets up a time-limited pilot at the Oak Park Heights MHU to admit up to five incarcerated individuals from county jails with serious and persistent mental illness, with all expenses paid by the county.
- **DOC Clarifying Technical Policy Omnibus Bill** – The bill includes various amendments to statute to help modernize and update practices. These changes include:
  - Updating substance use disorder treatment standards of care
  - Allowing for disposition of detainer paperwork to be filed electronically
  - Providing the DOC with the warrant authority when an individual fails to report for a prison sentence
  - Clarifying in statute that the Challenge Incarceration Program (CIP) operates at MFC- Shakopee
  - Mandating the DOC to implement a language access plan for individuals who are not English proficient
  - Expanding the line of duty death benefit to cover community supervision staff and non-uniformed staff in facilities
  - Makes clarifying changes and updates the membership of the Interstate Compact Advisory Council Membership Language Change
  - Repeals unused statute
  - Clarifying the law enforcement authority of the DOC’s Fugitive Apprehension Unit
  - Allowing discretion on placing juveniles sentences as adults in the most appropriate setting
  - Requiring the use of Risk Assessment Instruments to be used in juvenile detention decisions

New Statutory Changes Related to Corrections and Supported by the DOC

- **Voting Restoration** – The right to vote will be restored for individuals upon leaving prison. Minnesota statute now allows felons who are not incarcerated the ability to vote.

- **Juvenile Disciplinary Room Time (DRT) and Strip Searches** – The amendments to statute will prohibit the use of strip searches and the use of isolation as punishment in juvenile facilities. It also requires DOC to engage in expedited and exempt rulemaking related to disciplinary room time.
- **Juvenile Release Board** – The changes provide that a juvenile sentenced to life imprisonment, or a period of confinement that would exceed 15 years, be eligible for consideration for supervised release after serving 15 years in custody. Proposed changes in the bill would be retroactive and allow the newly created supervised release / parole board to review cases.
- **Private Prison Ban** – Statute now requires state prison and local jail inmates to be housed in publicly owned and operated prisons and jails.
- **Supportive Arts Grants** – The DOC is appropriated \$425,000 in FY24 to create a grant program for arts initiatives inside of Minnesota prisons. Former Corrections Officer Antonio Espinosa led the advocacy around and awareness of the “Art from the Inside” program through testimony in committee hearings.
- **Regional and County Jail Studies** – The DOC is provided \$150,000 in FY 24 to study and make recommendations to the Legislature for any new construction, improvement, consolidation, or merger requests made by county jails.
- **Challenge Incarceration Program (CIP) Reapplication Change** – The change amends the CIP statute to allow the DOC discretion in readmitting program participants who violate supervision.
- **Jail Discharge Plans and Mental Health Calls from Jails** – The changes require general discharge plans and discharge plans for people with serious and persistent mental illnesses for incarcerated persons in county jail facilities based on guidance from the DOC and the Department of Human Services. The bill also requires counties to provide free phone calls to incarcerated persons to MNsure navigators, the Minnesota Warmline, mental health providers, or calls for the purpose of providing case management or mental health services.

If you have any questions about a policy or budget item or the legislative session in general, please reach out to Legislative Director Emily Lefholz at [emily.lefholz@state.mn.us](mailto:emily.lefholz@state.mn.us).